

# M. NORTON.

TEMPORARY STORE,  
115 WYOMING AVENUE,  
Corner Center street.  
New Stock, Attractive Prices,  
Miscellaneous Books and Bibles,  
Blank Account Books, all sizes,  
Staple and Fancy Stationery,  
Law Blank Forms, large assortment,  
Leases, Deeds, Contracts, etc.,  
Letter Copying Presses and Books,  
Artists' and Draughtsmen's Materials,  
Crepe and Tissue Paper Materials,  
Wall Paper and Mouldings,  
Window Shades and Fixtures.

# A Cure to Dyspepsia

GOOD BREAD  
USE THE  
**Snow White**  
FLOUR  
And Always Have  
Good Bread.

MANUFACTURED AND FOR SALE  
TO THE TRADE BY  
**The Weston Mill Co.**

BEWARE OF COUNTERFEITS  
THE GENUINE POPULAR  
**Punch Cigars**

HAVE THE INITIALS  
**G. B. & CO.**  
IMPRINTED ON EACH CIGAR.  
**Garney, Brown & Co. Mfr's**  
Court House Square.

### PERSONAL.

W. H. Dimmick, of Honesdale, was here yesterday.  
J. A. Foote, of Archbald, visited friends in the city yesterday.  
C. W. Lako, of Hawley, is in the city on professional business.  
D. E. Atherton started last night on a business trip to New York.  
Edward W. Fischer, of Wilkes-Barre, is visiting friends in this city.  
C. R. Manville, of Carlisle, was engaged on business here yesterday.  
Rev. R. G. Jones, of Division street, will not take up his residence in Taylor until April.  
Superintendent of Schools Phillips made his first visit to his office in the city hall yesterday after a protracted illness.  
Chief Ferber, of the fire department, is out again after a long siege with an injured foot. He is obliged to use a cane.  
Miss Mary Wagonhorst returned to her home in Lehigh Glen yesterday after a two week visit with friends in this city.  
C. J. Welch and G. V. Miller, of the firm of Welch & Miller, returned from New York yesterday, where they have selected a large assortment of chinaware for their store.  
The home of City Editor James O'Connor, of the Truth, is brightened by the advent of a baby daughter. Mr. O'Connor yesterday received the congratulations of his many friends.  
E. A. Lane, collector of state and county taxes for 1894 in Jersey, presented his duplicates to the county commissioners yesterday. The assessment of Albert Graves, of Scott township, was also returned.

### BOARD OF EXAMINERS.

Organized and Adopted Rules for Their Government.  
The board of examiners appointed by the court of common pleas of Lackawanna to examine applicants for admission to the bar, met yesterday at the office of Attorney Joseph O'Brien and organized by electing J. Alton Davis president, and R. A. Zimmerman secretary.  
The board fixed the following days as the times for holding examinations for the year 1895, to wit: Feb. 22, May 2, July 5, Oct. 25, Dec. 29, and the law library in the court house in the city of Scranton as the place for holding the examinations. The examinations will commence at 10 o'clock on the above stated days, at which time all applicants either for preliminary or final examination will present themselves, as no private examinations will be allowed.  
The board also adopted a rule requiring all persons who propose to be examined at either of the above stated times to give the secretary at least one week's notice of the intention so to do. This notice is waived as to the first meeting, which will be held on Friday, Feb. 22.

### DEATH OF MRS. BURGER.

Funeral Arrangements Made for Thursday Morning.  
Mrs. Theresa Burger, widow of Theodore Burger, died at her residence on Mulberry street yesterday morning after an illness extending over several years. For the past three or four days she was, however, in an unconscious condition. Mrs. Burger is survived by five children, Mrs. Adam Brewer, Mrs. Peter Robbins, Jr., Miss Amelia Burger, Theodore C. Burger and Miss Ada Burger.  
A high mass of requiem will be celebrated at St. Mary's church on Thursday morning at 9 o'clock, after which interment will be made at Petersburg Catholic cemetery.

### Rheumatism Cured in a Day.

"Myrtle Cure" for Rheumatism and Neuralgia radically cures in 1 to 3 days. Its action upon the system is remarkable and mysterious. It removes at once the cause, and the disease immediately disappears. The first dose greatly benefits. 75 cents. Sold by Carl Lorenz, druggist, Scranton.

## JUDGE HANDLEY'S WILL

### It Has Created Much Surprise Throughout the City.

### WAY HE DISPOSES OF ESTATE

City of Winchester, Va., Receives the Bulk of His Fortune—Gives \$50,000 to St. Patrick's Orphan Asylum. His Other Bequests.

The will of the late ex-Judge John Handley was one of the chief topics of conversation about the city yesterday. It was admitted to probate early yesterday morning by Register of Wills Hopkins, Lemuel Amerman and John T. Richards, two of the executors named in the will. They are all qualified for the duties of their office. The executor, H. W. Palmer, has yet to perform that duty.

Mr. Handley wrote the will himself and it covers thirty-four pages of paper. One of the items, which the most conservative estimates place at \$2,000,000, he leaves \$50,000 to the St. Patrick's Orphan asylum, \$25,000 to the House of the Good Shepherd, and after a few other small bequests, the remainder of his estate goes to the city of Winchester, Va.

As he leaves no direct heirs the state will collect the 5 per cent. collateral tax, which will amount to \$100,000 at least. The sum will be collected by Register of Wills Hopkins from the executors, and he will receive a commission for so doing.

Much surprise is manifested at the provisions of the will, as it was generally supposed that there would be many bequests to churches and individuals. The text of the will is as follows:

**Contents of the Will.**  
I order and direct that all my just debts be paid and that my funeral be conducted in the most plain manner, and that my remains be placed in my vault in Winchester, Va.

I give, devise and bequeath to the corporation of St. Patrick's Orphan asylum of Scranton, Pa., the sum of \$50,000 in trust for the purposes herein after mentioned. The said sum of money shall be retained at interest by the directors or trustees of the said asylum until the same amount to \$100,000, at which period of time I order and direct the directors or trustees to expend and lay out the income of said sum annually thereafter in supporting, educating and providing for the wants of the orphans in said asylum.

I give and bequeath to the House of the Good Shepherd of the city of Scranton, Pa., the sum of \$25,000, to be used and laid out by the good ladies in charge of said institution.

I give and bequeath to the city of Winchester, Va., the sum of \$250,000, to be held in trust by said city of Winchester for the purposes hereinafter named.

I direct that to be retained by said city and invested in the bonds of the state of Virginia at interest until the said sum of money and interest added shall amount to \$500,000, at which period of time I order and direct the said city of Winchester to erect, construct, finish and open a public library for the free use of the people of the city of Winchester forever thereafter. Said library shall be known and called "The Handley Library."

I further order and direct that the city of Winchester shall not expend or lay out more than \$250 of the said bequest for the land and the library building erected thereon. Nor shall the city of Winchester expend or lay out more than the net income of the balance or remainder of said bequest for maintaining the said library, and for the purchase of books, maps, works of art, etc., from time to time.

### Bequests to Individuals.

I give and bequeath to Annie Hafey, my faithful housekeeper, during her life, the use of the premises occupied by her, at 420 Lackawanna avenue, Scranton, Pa., together with the use of furniture and fixtures now upon said premises, free of charges, and in addition thereto I hereby bequeath the sum of \$5,000, and I direct my executors to pay the said Annie Hafey the sum of \$1,000 per year during her natural life.

I give and bequeath to Mrs. Annie R. Mayberry, of Grand Rapids, Mich., the sum of \$5,000, and I direct my executors to pay the said bequest within two years after my death, provided the said Mrs. Mayberry is living at the time of my demise, or when such bequest shall become due and payable.

I give and bequeath to Mary Gertrude Campbell the sum of \$5,000 less the amount advanced heretofore on the purchase of her brother's interest in the property formerly owned by her mother.

I also give and bequeath the following sums of money to each of the persons named in Schedule "A," which schedule is hereby made part of this will, the same as if by the name of each person was named herein. And I direct my executors to pay the said several bequests to each person if living at the time of my demise or when such bequest shall fall due, within two years from the date of my death.

I give and order that all my personal property shall be sold at private sale, except the portion in which a life estate is created by this will, from time to time and at such prices as will bring the best price that can be obtained for the same, hereby giving and granting unto my said executors full power and authority to make, execute and deliver good title for such personal property.

### To Retain It for Twenty Years.

All my real estate in the city of Scranton, Pa., except my coal lands in the state of Pennsylvania, West Virginia, and in other states, and my timber and iron ore land situate in the state of Virginia and other states, which I may own at the time of my death, I hereby order and direct my executors to retain at rent for the period of twenty years.

I order and direct that all incomes and profits arising out of my said real estate, no matter where situate, after paying charges, life estate, repairs, taxes and insurance, shall be laid out and expended in paying in part or in whole the several bequests provided for and mentioned in this will.

I order and direct and I hereby empower my executors or their successors to convey and sell my real estate at the end of twenty years, at public or private sale for the highest price that may be obtained for the same, and to make and execute deeds to the purchasers thereof, said deeds to have the same form and effect as if made by or through the orphans' court after sale had according to law.

I hereby order and direct my executors from time to time to rent at the best rent or royalty all coal and other minerals in and upon my lands in the states of Pennsylvania, West Virginia and other states upon the same terms and conditions like minerals are rented by other parties.

I order and direct that the income arising from the royalty or rents of my said mineral lands shall be applied as follows by my executors, namely:

First—To pay the running expenses and public taxes.

Second—The balance of said rents or royalty to be paid over every six months to the directors or trustees of St. Patrick's Orphan asylum, the House of the Good Shepherd and the city of Winchester, Va., in the following proportions, to wit: Thirty-three and one-third per cent. of such rent or royalty thereof to each.

I order and direct the directors or trustees and the officers of the city of Winchester to invest said incomes so received in the bonds of the states of

Pennsylvania or Virginia, or in the bonds of the United States, the interest whereof shall be expended and laid out in paying the expenses from time to time of the several institutions provided for in this my will.

I hereby order and direct my executors and their successors to rent or lease the surface of my farm and mineral lands, and sell the timber and bark thereon from time to time for the best price that can be obtained for said timber and bark. And also to lease the mineral lands and the surface thereof for twenty years, and thereafter to convey and sell said lands as they are hereinafter ordered and directed to sell other real estate.

I direct and order my executors to pay over all money arising from the sale of land situate in Virginia, West Virginia, Pennsylvania, the states of Ohio, and the timber and bark thereon, and all minerals in and under said land to the directors and trustees aforesaid, and to the several institutions aforesaid, in the same proportions as aforesaid, namely, thirty-three and one-third per cent. of the net income. Said income to be invested by said several corporations or institutions, and to be laid out and expended by them and each of said corporations and the city of Winchester as hereinafter directed.

I order and direct my executors or their successors to collect and apply all of my life insurance or so much thereof as may be realized on the payment of any debts that may be of record against my real estate at the time of my death.

### Education of Young People.

I order and direct my executors to continue paying the expenses of each boy and girl that I may have at school or college at the time of my death, until each of said persons shall graduate and until such scholars shall have finished and graduated at his or her education to pay to each boy or girl the sum of \$500 out of the income of my estate.

I order and direct that if at the end of any one year the income of the money devoted to the support of the library at Winchester, Virginia; St. Patrick's Orphan asylum or the House of the Good Shepherd shall be more than sufficient to pay the annual expenses, then and in that event, the balance of said income shall be forthwith invested in interest bearing bonds of the United States or the state of Virginia and added to the capital.

I order and direct that under no circumstances shall any portion of the capital of either or any of the institutions to which I have in this my last will made such bequest, or pledge the same as security to meet the current expenses of said institutions.

I do hereby declare that all of the several bequests made in this my last will, are made upon the express condition that none of the moneys, principal, interest, rents or royalties arising from such bequests, shall be applied to any other purpose whatsoever than those especially mentioned and herein appointed.

All trust money mentioned in this will shall be invested by my executors or the directors or trustees of the corporations named, and the city of Winchester, in the same manner as registered bonds unless otherwise named and directed.

I hereby order and direct my executors, unless otherwise directed, to order, to pay the said persons, corporations and city of Winchester, Va., named in my will, in proportion to the amount bequeathed and devised to each, and so continue to pay, from year to year, on the first days of January in each year, until each and every bequest is paid in full by my executors and their successors.

I hereby order and direct that no act or deed of my executors appointed under this will, or their successors, shall be valid or binding upon my estate unless a majority thereof shall consent to the same in writing when the sum involved shall exceed the sum of \$100.

Should any one or more of my executors depart this life without naming his successor in writing and have the same acknowledged before some officer having authority to take acknowledgments of the same, I hereby direct the president judge of this judicial district to appoint such successor or successors as in his sound judgment he may deem proper.

All the rest and residue of my estate I give, devise and bequeath to the city of Winchester, Va., to be accumulated by said city for the period of twenty years, and then to be expended and laid out in said city by the erection of school houses for the education of the poor.

I hereby appoint Hon. Henry W. Palmer, Hon. Lemuel Amerman, B. E. Leonard and John T. Richards executors of this my last will and testament, and I authorize and empower each of my executors to have the same power and authority as the original executors named in my said will.

In witness whereof I, the said John Handley, have hereunto set my hand and seal this twenty-ninth day of December, A. D., 1894.

John Handley, (L. S.)  
Signed, sealed, published and declared by the said John Handley and for his last will and testament in the presence of us who have, at his request, hereunto subscribed our names as witnesses thereunto in the presence of the said testator and of each other.

C. W. Gmister,  
C. W. O'Malley.

### Codicil to the Will.

On July 31, 1893, a codicil was added to the will revoking the appointment of B. E. Leonard as one of his executors. Mr. Leonard has been interested in the Winchester Improvement company and about the date of the codicil Mr. Leonard and P. H. Mulherin began an action in the United States circuit court to recover \$15,000 from Mr. Handley. That suit knocked Mr. Leonard out of a plan that would probably have netted him \$50,000.

It was expected that the schedule "A" mentioned in the will would contain a number of individual bequests, but the sheet of paper headed "Schedule A" contained only these words: "List of persons to whom bequests in the following amounts are made and intended for Schedule A mentioned in my last will, dated the twenty-ninth day of December, 1890." When he made the will his evident intention was to add names of those he wished to remember to this sheet. He never did so, however.

### Reduced Rates Authorized on the Nickel Plate Road.

To the west and southwest, March 5 and April 2, account Home Seekers' excursions. Ask your city ticket agent for detailed information, or address F. J. Moore, general agent, No. 22 Exchange street, Buffalo, N. Y.

Thousands are suffering excruciating misery from that plague of the night, itching piles, and say nothing about it through a sense of delicacy. All such will find an instantaneous relief in the use of Doan's Ointment. It never fails.

Remember our telephone number is 222 if you want plumbing work. W. G. Doud & Co., 609 Lacka. ave.

## ROSTOSKY CASE OPENED

### Attorney John M. Corbett Outlined the Facts to the Jury.

### TESTIMONY OF EYE WITNESSES

### Coroner Kelley Described the Wounds That Caused Clute's Death—All Evidence Shows That Murder Was Result of a Drunken Brawl.

Attorney John M. Corbett opened the Rostosky murder case to the jury yesterday morning on the part of the commonwealth, and Coroner J. A. Kelley, of this county, was the first witness called. He testified to the condition of the murdered man's body. On cutting the scalp a piece of bone as large as the palm of a man's hand fell out of the skull. The brain showed marks of compression, and the wound was about two inches wide and from eight to ten inches in length. A large blood clot was found in the wound, and that was the cause of the man's death. The coroner gave as his opinion that the wound was caused by a blunt instrument. Judge Albright is presiding at the trial of the case.

John Sheski was an eye witness to the assault upon Clute, the murdered man. He was passing the house and he saw Joseph Clute pushed out of the door. Some one struck him and when he was down Sylvester Rostosky, the defendant, came out and struck him on the head with a base ball bat. A man named Clute was a rosy color when he was taken to Clute's house, and just before the attack on Clute, Milgin fired several shots out of the window. The witness was cross-examined very searching by Attorney O'Brien for the defense, John Schwartz, of Wilkes-Barre, was the cross-examiner's interpreter for all the Polish witnesses, while Martin Wagoner sat at the defendant's table to make sure that the answers would be given correctly. Rostosky, the defendant, is rather handsome in features, above the medium height and weight and well built. There was a rosy color about his face notwithstanding his long confinement in jail. He was much interested in the testimony of the commonwealth's witnesses, but did not appear to be very uneasy.

### Rostosky Used the Club.

Mathew Smith was another witness who saw the attack. He went into Rostosky's saloon the morning of the murder and Clute, the murdered man, was drinking at the bar with a man named Joseph Bidduas. A quarrel arose over the question of paying for the drinks, and Mike Rostosky advised Clute to treat the attorney. He went into the saloon and refused and received a blow of a stick on the head. Mike dropped the club and picked up an ax. Sylvester Rostosky then picked up the club and dealt Clute a blow on the head with it. The blow knocked Clute to the ground and appeared to have killed him. The club that was used was shown to the witness and he identified it.

Justice of the Peace McCormick, of Blakely borough, was the next witness for the commonwealth. It was before him that the preliminary hearing was held. The justice asked the prisoner whether he was guilty or not guilty, and at the same time reminded him that he did not need to answer and incriminate himself. But Rostosky took no heed of the precaution and admitted that he struck Clute with a club. On cross-examination the witness stated that the prisoner mentioned the fact at the hearing that there had been a hot fight at the house.

Dominick Degurits was the next witness. He abides at the Ridge and the district attorney asked him if he had been at the Rostosky saloon on the Sunday morning of the murder. He answered no and was withdrawn.

County Surveyor Dunning prepared a map of the place where the crime was committed and he exhibited the drawing to the jury and explained the details of the place.

Joseph Biddu, who was mixed up in the fight and received very serious wounds, was the next witness. He went to Rostosky's saloon on Saturday night and remained there until the next morning. The night was spent in card playing and drinking beer. Mike Rostosky, who conducted the saloon, asked the witness if he did not intend to treat before he left for home. "No," said the witness, "I have no more money, and anyway, I treat twice."

"Well, I'll treat you," said the proprietor, and he went behind the bar, got a club and hit the witness on the head with it. The proprietor then locked the door. Sylvester Rostosky, the prisoner, went into the back room and got an ax and a half of a base ball bat. Clute was standing near the door and the defendant opened it, pushed Clute out, and at the same time hit him with the club on the head. Clute fell forward on the porch and rolled off to the ground. Mike Rostosky took up the ax and notified all in the house to get out or there would be some scalping.

On cross-examination the witness was asked if he had a billiard cue in his hands. He picked it up, he said, as soon as Mike Rostosky hit him with the club. Witness broke the cue on the bar instead of hitting Mike with it. He denied that he struck Rostosky at all. He also denied that he broke any windows in the house. He said that Rostosky's bar room was as quiet as a graveyard during the Rostosky hit him with the club, but after he got outside he admitted that he took up a stone no bigger than an egg, threw it at the door, and although the stone was no larger than an egg, it broke the door. While he was throwing the two stones the rest of the crowd was stoning the house.

The reason they were stoning Rostosky's house was because Sylvester had struck Clute with the club and Clute was lying on the ground like one dead.

### COUNTING THE POLES.

Police Officers Were Assigned to Task Yesterday.

All the day and off duty shifts of policemen were yesterday assigned certain wards and the duty of counting the poles bearing electric wires. Their returns will be used as a check against the affidavits to be made by electric

### Picture Frames

Made at short notice. High Class in every respect. Inside Decorating in all its branches.

SEE WINDOWS FOR PRICES.

### Pratt's

312  
Lackawanna Avenue.

# SIX DOLLARS

For this nominal amount you can buy a heavy, extra long, comfortable and durable Ulster.

Come in and See Them

AT  
**MARTIN & DELANY'S.**

### HAIR CHAINS FROM YOUR OWN HAIR.

Something nice for a gift. Chains made out of your own or some dear friend's hair. Leave orders as early as possible.

E. M. HETZEL, - 230 Lacka. Ave.

### WILL REMOVE TO

124 WYOMING AVENUE  
APRIL 1st. AFTER MONDAY, 27th, WILL SELL STOCK FOR LESS THAN COST. SO LOOK OUT FOR BARGAINS.

CHINA HALL  
WEIGHEL & MILLAR,  
16 WYOMING AVE.

### HELLO, CENTRAL!

**N. A. HULBERT'S CITY MUSIC STORE**  
WYOMING AVE., SCRANTON.

STEINWAY & SON  
DECKER BROTHERS  
KRANICH & BACK  
STULTZ & BAUER  
and  
Others

### PIANOS

Also a large stock of first-class

### ORGANS

MUSICAL MERCHANDISE,  
MUSIC, ETC.

### SCHANK

The SHOE MAN

Will sell Footwear at greatly reduced prices during the month of February.

ON TOP,  
THAT'S THE POSITION OF  
**CONRAD'S HATS**  
SPRING STYLES COMING IN.

MT. PLEASANT  
**COAL**

Coal of the best quality for domestic use, and of all sizes, delivered in any part of the city at lowest price. Orders left at my office.

NO. 118 WYOMING AVENUE,  
Rear room, first floor, Third National Bank, or sent by mail or telephone to the mine, will receive prompt attention. Special contracts will be made for the sale and delivery of Buckshot Coal.

WM. T. SMITH.

### AYLESWORTH'S MEAT MARKET

The Finest in the City.

The latest improved furnishings and apparatus for keeping meat, butter and eggs.

223 Wyoming Ave.

### OUR FIRST LINEN SALE

COMMENCES MONDAY, FEB. 4, '95.

We are determined to make this the most notable sale ever held in the city. If

### LOW PRICES, QUANTITY, QUALITY AND NEW GOODS WILL DO IT.

### LEADERS

Barnes Satin Damask, Barnes Cream Damask, Table Linen Sets, Napkins and Doilies, Hock, Bath and Damask Towels, Stevens, Barnesy and Russian Crash Honeycomb and Flarselles Quilts, Sanitary Diaper Linens and Cottons, Indian Limons.

Dimitties in Checks and Stripes, Nainsooks in Plain, Checks and Stripes, English Long Cloth and Jones' Cambric

SEE WINDOWS FOR PRICES.

### EDGE HILL WINE CO., IMPORTERS.

22 Vesey St., NEW YORK.  
PROPRIETORS: Edge Hill and Oak Hill Vineyards, St. Helena, Napa Co., Cal.

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